

HOUSE _____ **AMENDMENT NO.** _____

Offered By

House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate
Bill 469, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“195.060. 1. Except as provided in subsection [3] 4 of this section, a pharmacist, in good
faith, may sell and dispense controlled substances to any person only upon a prescription of a
practitioner as authorized by statute, provided that the controlled substances listed in Schedule V
may be sold without prescription in accordance with regulations of the department of health and
senior services. All written prescriptions shall be signed by the person prescribing the same. All
prescriptions shall be dated on the day when issued and bearing the full name and address of the
patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full
name, address, and the registry number under the federal controlled substances laws of the person
prescribing, if he is required by those laws to be so registered. If the prescription is for an animal,
it shall state the species of the animal for which the drug is prescribed. The person filling the
prescription shall either write the date of filling and his own signature on the prescription or retain
the date of filling and the identity of the dispenser as electronic prescription information. The
prescription or electronic prescription information shall be retained on file by the proprietor of the
pharmacy in which it is filled for a period of two years, so as to be readily accessible for
inspection by any public officer or employee engaged in the enforcement of this law. No
prescription for a drug in Schedule I or II shall be filled more than six months after the date
prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug
in Schedule III or IV shall be filled or refilled more than six months after the date of the original

1 prescription or be refilled more than five times unless renewed by the practitioner.

2 2. A pharmacist, in good faith, may sell and dispense controlled substances to any person
3 upon a prescription of a practitioner located in another state, provided that the prescription was
4 issued according to and in compliance with
5 the applicable laws of that state and the United States, provided that the quantity limitations in
6 subsection 2 of section 195.080 apply to prescriptions dispensed to patients located in this state.

7 3. The legal owner of any stock of controlled substances in a pharmacy, upon
8 discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or
9 pharmacist, but only on an official written order.

10 [3.] 4. A pharmacist, in good faith, may sell and dispense any Schedule II drug or drugs to
11 any person in emergency situations as defined by rule of the department of health and senior
12 services upon an oral prescription by an authorized practitioner.

13 [4.] 5. Except where a bona fide physician-patient-pharmacist relationship exists,
14 prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user
15 or agent by mail or other common carrier.

16 195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided,
17 sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering,
18 dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible
19 of external use only and that contain controlled substances in such combinations of drugs as to
20 prevent the drugs from being readily extracted from such liniments, ointments, or preparations,
21 except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other
22 preparations that contain coca leaves in any quantity or combination.

23 2. The quantity of Schedule II controlled substances prescribed or dispensed at any one
24 time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled
25 substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and
26 shall be prescribed and dispensed in compliance with the general provisions of sections 195.005

1 to 195.425. The supply limitations provided in this subsection may be increased up to three
2 months if the physician describes on the prescription form or indicates via telephone, fax, or
3 electronic communication to the pharmacy to be entered on or attached to the prescription form
4 the medical reason for requiring the larger supply. The supply limitations provided in this
5 subsection shall not apply if:

6 (1) The prescription is issued by a practitioner located in another state according to and in
7 compliance with the applicable laws of that state and the United States and dispensed to a patient
8 located in another state; or

9 (2) The prescription is dispensed directly to a member of the United States armed forces
10 serving outside the United States.

11 3. The partial filling of a prescription for a Schedule II substance is permissible as defined
12 by regulation by the department of health and senior services.”; and
13

14 Further amend said substitute, page 4, section 197.100, line 33, by inserting immediately after said
15 line the following:

16 “334.747. 1. A physician assistant with a certificate of controlled substance prescriptive
17 authority as provided in this section may prescribe any controlled substance listed in schedule III,
18 IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a
19 supervision agreement. Such authority shall be listed on the supervision verification form on file
20 with the state board of healing arts. The supervising physician shall maintain the right to limit a
21 specific scheduled drug or scheduled drug category that the physician assistant is permitted to
22 prescribe. Any limitations shall be listed on the supervision form. Physician assistants shall not
23 prescribe controlled substances for themselves or members of their families. Schedule III
24 controlled substances shall be limited to a five-day supply without refill. Physician assistants who
25 are authorized to prescribe controlled substances under this section shall register with the federal
26 Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and

1 shall include [such] the Drug Enforcement Administration registration [numbers] number on
2 prescriptions for controlled substances.

3 2. The supervising physician shall be responsible to determine and document the
4 completion of at least one hundred twenty hours in a four-month period by the physician assistant
5 during which the physician assistant shall practice with the supervising physician on-site prior to
6 prescribing controlled substances when the supervising physician is not on-site. Such limitation
7 shall not apply to physician assistants of population-based public health services as defined in 20
8 CSR 2150-5.100 as of April 30, 2009.

9 3. A physician assistant shall receive a certificate of controlled substance prescriptive
10 authority from the board of healing arts upon verification of the completion of the following
11 educational requirements:

12 (1) Successful completion of an advanced pharmacology course that includes clinical
13 training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with
14 advanced pharmacological content in a physician assistant program accredited by the
15 Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its
16 predecessor agency shall satisfy such requirement;

17 (2) Completion of a minimum of three hundred clock hours of clinical training by the
18 supervising physician in the prescription of drugs, medicines, and therapeutic devices;

19 (3) Completion of a minimum of one year of supervised clinical practice or supervised
20 clinical rotations. One year of clinical rotations in a program accredited by the Accreditation
21 Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor
22 agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy
23 such requirement. Proof of such training shall serve to document experience in the prescribing of
24 drugs, medicines, and therapeutic devices;

25 (4) A physician assistant previously licensed in a jurisdiction where physician assistants
26 are authorized to prescribe controlled substances may obtain a state bureau of narcotics and

1 dangerous drugs registration if a supervising physician can attest that the physician assistant has
2 met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of
3 existing federal Drug Enforcement Agency registration.”; and
4
5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.